



**Town of Shandaken Town Board**  
**Regular Monthly Meeting Agenda**  
**Wednesday, November 9, 2016**

- 1. Call to Order**
- 2. Pledge of Allegiance**
- 3. Roll Call**
- 4. Approval of previous T/B Meeting minutes**
- 5. Supervisor's Financial Report**
- 6. Communications**
- 7. Committee Reports:**
  - a. Ambulance*
  - b. Police*
  - c. Phoenicia Water*
  - d. Pine Hill Water*
  - e. Museum*
  - f. Recreation*
- 8. Public Comments on Resolutions**
- 9. Motions:**
- 10. Resolutions:**
  - 155. Pay All Bills**
  - 156. Town Board– Accept Preliminary Budget as 2017 Annual Budget**
  - 157. Town Board – Approve Task Order for Allaben/Shandaken LFA**
    - a. Grant received for \$115,000 cost
  - 158. Town Clerk – Authorize Entering Agreement with SwiftReach 911**
    - a. Public Notification Alert System
  - 159. NY Rising – Re-Adopt Procurement Policy for NY Rising Program**
  - 160. Highway - Replace Furnace in Highway Garage**
    - a. \$9,000 from Good Neighbor Fund
  - 161. Town Board – Authorize Property Agreement for FEMA Buyout**
    - a. SBL# 25.1-2-13; Owner: Ronald V. Decker
  - 162. Police – Hiring Part- Time Officers**
    - a. Gabriella LaLima (Trainee), Daniel Farcher (Trainee)
    - b. Officer Sean Ryan
  - 163. Town Board – Committing Town to I AM PRO SNOW Initiative**
    - a. Move to Renewable Energy Sourcing – Carbon Reduction Effort
  - 164. Town Board – Authorize Change in Office Equipment Contract**
    - a. Change Copier to National Business Equipment & Supply
- 11. Open Public Comment**
  - a. Meeting Adjournment - IN MEMORY OF: Thomas Gotimer, June Garrafa, Terry Herdman*

**RESOLUTION TO PAY ALL BILLS**

**WHEREAS**, The Department of Audit and Control require Town Boards to sign and inspect all vouchers coming into the town for payment, to number and total amounts from each fund.

**THEREFORE BE IT RESOLVED**, that the Town Board authorize the following vouchers paid:

General	\$ 40,573.97
Highway	890,795.60
Phoenicia Water	9,575.15
Pine Hill Water	204.58
Phoenicia Lights	910.00
Chichester Lights	139.04
Pine Hill Lights	540.54
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	\$942,738.88

**AND MOVES ITS ADOPTION**

Seconded by:

**ROLL CALL**

	<b>AYES</b>	<b>NAYS</b>
Board Member Alba	_____	_____
Board Member DiSclafani	_____	_____
Board Member Malloy	_____	_____
Board Member Storms	_____	_____
Supervisor Stanley	_____	_____

**RESOLUTION ADOPTING 2017 PRELIMINARY BUDGET AS 2017 TOWN BUDGET**

**WHEREAS**, the Town of Shandaken has prepared a 2017 Preliminary Budget for review;

**THEREFORE, BE IT RESOLVED** the Town Board of the Town of Shandaken following a Public Hearing held at 6:30 pm on Wednesday, November 9, 2016, hereby adopts the 2017 Preliminary Budget as amended as the 2017 Town Budget for the Town of Shandaken

AND MOVES ITS ADOPTION

Seconded by:

ROLL CALL

	AYES	NAYS
Board Member Alba	_____	_____
Board Member DiSclafani	_____	_____
Board Member Malloy	_____	_____
Board Member Storms	_____	_____
Supervisor Stanley	_____	_____

**AUTHORIZE SUPERVISOR TO SIGN TASK ORDER FOR LOCAL FLOOD ANALYSIS PROJECT**

**WHEREAS**, the *Town* of Shandaken wishes to continue to identify flood hazards within our community and find feasible approaches to reducing those hazards; and

**WHEREAS**, the *Town* wishes to perform a Local Flood Analysis (*LFA*) for the hamlets of Allaben and Shandaken; and

**WHEREAS**, the *Town* has received a task order from the Town’s Engineering firm Milone & MacBroom (*MMI*) to perform this project at a cost of One Hundred Fifteen Thousand Dollars (\$115,000.00); and

**WHEREAS**, the *Town* has applied for and received a grant for the sum of One Hundred Fifteen Thousand Dollars (\$115,000.00) from the Ashokan Watershed Stream Management Program (*AWSMP*) to conduct the *LFA*; and

**THEREFORE, BE IT RESOLVED** that the Town of Shandaken Town Board hereby authorizes the Town Supervisor to agree and sign the Task Order for the *LFA* to be performed by *MMI* Engineers for a cost of \$115,000.00.

AND MOVES ITS ADOPTION

Seconded by:

ROLL CALL

	AYES	NAYS
Board Member Alba	_____	_____
Board Member DiSclafani	_____	_____
Board Member Malloy	_____	_____
Board Member Storms	_____	_____
Supervisor Stanley	_____	_____

**RESOLUTION #158-16**

**OFFERED BY:**

**Resolution Authorizing A Contract with SwiftReach 911 Network**

**Whereas**, the Town of Shandaken requires the ability to send emergency communications and important notifications to residents from time to time.

**Whereas**, the Town of Shandaken would like to enter a one year contract with SwiftReach911 Mass Notification & Alert system to deliver these notices.

**Whereas**, Residents can easily sign up to receive local water district notifications, Burning bans, Emergency services notifications and other pertinent information – through their land line phone, cell phone or email. Cost of service would be \$1,000. Per year with an initial set up fee of \$150.00.

**Therefore, Be It Resolved** that the Town Board hereby approves that the Supervisor enter into a 1 year contract with SwiftReach911

AND MOVES ITS ADOPTION

Seconded by:

ROLL CALL

	AYES	NAYS
Board Member Alba	_____	_____
Board Member DiSclafani	_____	_____
Board Member Malloy	_____	_____
Board Member Storms	_____	_____
Supervisor Stanley	_____	_____

**RESOLUTION #159-16**

**OFFERED BY:**

**A RESOLUTION ADOPTING THE FOLLOWING PROCEDURES AND POLICIES FOR THE TOWN OF SHANDAKEN FOR THE PROCUREMENT OF GOODS AND SERVICES NECESSARY FOR THE IMPLEMENTATION OF PROJECTS FUNDED BY THE GOVERNOR’S OFFICE OF STORM RECOVERY OF THE NEW YORK STATE HOUSING TRUST FUND CORPORATION**

**WHEREAS**, the Town of Shandaken has entered into a subrecipient agreement with the Governor’s Office of Storm Recovery, an office of the New York State Housing Trust Fund Corporation, that provides funds for eligible Community Development Block Grant – Disaster Recovery (CDBG-DR) expenditures; and

**WHEREAS**, the subrecipient agreement requires procurement activities funded in whole or in part with CDBG-DR funds to be conducted in compliance with applicable United States Department of Housing and Urban Development (HUD) procurement regulations as well as applicable state and local law; and

**WHEREAS**, on December 26, 2013, the Office of Management and Budget (OMB) published (at 78 Federal Register 78608) the “2 CFR Part 200 Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards” that superseded the HUD procurement provisions of 24 CFR Parts 84 and 85; and

**WHEREAS**, HUD has issued new procurement standards as set forth in Notice: SD-2015-01: Transition to 2 CFR Part 200, Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards, Final Guidance and in Notice: CPD-16-04 Additional Transition and Implementation Guidance for Recipients of Community Planning and Development (CPD) Funds for 2 CFR Part 200, Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards; and

**WHEREAS**, the Town of Shandaken desires to revise and amend its procurement procedures to be consistent with the HUD Notices on 2 CFR Part 200; and

**WHEREAS**, the Town of Shandaken desires to apply the amended and revised procurement procedures to future CDBG-DR procurements.

**NOW, THEREFORE BE IT RESOLVED** by the Town of Shandaken Board of Supervisors, on behalf of the Town of Shandaken that for CDBG-DR procurement actions undertaken on or after January 1, 2017, the Town of Shandaken shall comply with the procurement standards as set forth in 2 CFR Parts 200.317 through 200.326. In the event of a conflict between State or local laws and regulations and the procurement requirements of 2 CFR Part 200, the more stringent requirements will apply.

**AND MOVES ITS ADOPTION**

Seconded by:

**ROLL CALL**

	AYES	NAYS
Board Member Alba	_____	_____
Board Member DiSclafani	_____	_____
Board Member Malloy	_____	_____
Board Member Storms	_____	_____
Supervisor Stanley	_____	_____

**PURCHASE REPLACEMENT FURNACE FOR  
HIGHWAY GARAGE WITH GOOD NEIGHBOR FUNDS**

**WHEREAS**, the Town of Shandaken owns and operates the Town of Shandaken Highway Garage (*Garage*) located at 7209 Rte 28, Shandaken, NY; and

**WHEREAS**, the furnace in the *Garage* has failed to properly operate and needs to be replaced; and

**WHEREAS**, the Town has asked for an received bids from four qualified companies who perform this work; and

**WHEREAS**, this expense was not anticipated in the 2016 Fiscal Year Budget.

**THEREFORE, BE IT RESOLVED** that the Town Board authorizes use of Good Neighbor Funds to replace the furnace in the Highway Garage at a cost of **\$8,960.00** (Eight Thousand Nine Hundred Sixty Dollars and No Cents) with the work to be performed by **Paraco Gas Co., 2926 Route 32, Saugerties, NY 12477**.

AND MOVES ITS ADOPTION

Seconded by:

ROLL CALL

	AYES	NAYS
Board Member Alba	_____	_____
Board Member DiSclafani	_____	_____
Board Member Malloy	_____	_____
Board Member Storms	_____	_____
Supervisor Stanley	_____	_____

**AUTHORIZING SUPERVISOR TO ENTER AGREEMENT WITH NEW YORK CITY DEPARTMENT OF ENVIRONMENTAL PROTECTION REGARDING FEMA BUYOUT PROPERTIES**

**WHEREAS**, the Town of Shandaken (Town) suffered devastating losses from Hurricane Irene and Tropical Storm Lee (Storms) in August and September of 2011; and

**WHEREAS**, multiple residential parcels endured ‘Substantial Damages’ from said Storms as prescribed under Federal Emergency Management Agency (FEMA) Guidelines which makes them eligible for purchase through the FEMA Buyout Program; and

**WHEREAS**, sixteen (16) parcels have been identified and have remained in the FEMA Buyout Program which includes demolition of any structures and restricting the parcels as open space perpetually; and

**WHEREAS**, the Town has declined taking ownership of these parcels whereby the New York City Department of Environmental Protection (NYC-DEP) is willing to take ownership; and **WHEREAS**, in order for these buyouts to continue being processed the Town and NYC-DEP must enter into an agreement regarding maintenance of said parcels whereby NYC-DEP is offering minimal maintenance including annual property inspections, boundary maintenance and signage but not including active management (mowing, snowplowing, etc.); and

**WHEREAS**, the Town understands that moving forward if the Town wishes active management activities to take place on these parcels the Town would have to take responsibility for these through a permitting process of the NYC-DEP; and

**THEREFORE BE IT RESOLVED**, that the Town of Shandaken Town Board does hereby authorize the Town Supervisor to enter into an agreement with NYC-DEP with understanding of all that is prescribed above and moves the following parcel forward through the FEMA Buyout Program:  
Parcel # 8606 SBL# 25.1-2-13 Owner: Ronald V. Decker

AND MOVES ITS ADOPTION  
Seconded by:

**ROLL CALL**

	AYES	NAYS
Board Member Alba	_____	_____
Board Member DiSclafani	_____	_____
Board Member Malloy	_____	_____
Board Member Storms	_____	_____
Supervisor Stanley	_____	_____



**TOWN POLICE DEPARTMENT**

**WHEREAS**, The Town of Shandaken, is a Town of the second class; and

**WHEREAS**, there is a Town Police Department; and

**WHEREAS**, three (3) Officers have been recommended by the Police Commissioners to be hired Part-Time;

**THEREFORE BE IT RESOLVED**, that pursuant to the Town Law of the State of New York § 20 (1) (b), the Town Board hereby appoints the following individuals as Part –Time Police Officers to receive compensation as indicated (for officers completing training/academy (*T*), individual remains responsible for associated costs of said training and education):

<b>NAME</b>	<b>COMPENSATION</b>
Sean Ryan	\$19.36 per hour
Gabreilla LaLima ( <i>T</i> )	\$9.00 per hour
Daniel Farcher ( <i>T</i> )	\$9.00 per hour

And that said police officers shall have all powers conferred upon police officers by the general laws of the State of New York including but not limited to and such powers, not inconsistent with law, as are hereinafter set forth; and that said police officers shall have all powers designated in § 2.20 of the Criminal Procedure Law of the State of New York and shall have the following special duties:

1. To enforce all local laws, ordinances and regulations of the Town of Shandaken.

2. To enforce the Vehicle and Traffic Law of the State of New York to the extent that police officers may be so permitted by the general laws of the State of New York.

3. To enforce such Penal Statutes as police officers are permitted to enforce pursuant to the general laws of the State of New York, and in furtherance of said special duties police officers are hereby authorized the use, of a Town Vehicle to be known as a police officer's vehicle which may be equipped with emergency lights in accordance with applicable sections of the Vehicle and Traffic Law, and may use the State and County radio to the extent permitted by the general laws of the State of New York, and may carry fire arms while on duty in compliance with the general laws of the State of New York pertaining to Police Officers generally.

**AND MOVES ITS ADOPTION**

Seconded by:

**ROLL CALL**

	<b>AYES</b>	<b>NAYS</b>
Board Member Alba	_____	_____
Board Member DiSclafani	_____	_____
Board Member Malloy	_____	_____
Board Member Storms	_____	_____
Supervisor Stanley	_____	_____

AGREE TO JOIN CLIMATE REALITY PROJECTS' I AM PRO SNOW PROGRAM

WHEREAS, the Town of Shandaken (hereinafter "TOWN") believes that climate change poses a real and increasing threat to our local and global environments and is primarily due to the burning of fossil fuels; and

WHEREAS, with low snowfall years costing ski resorts and companies an estimated \$1 billion in potential revenue and at least 13,000 American jobs from 1999—2010 alone, as well as costing farms precious water, climate change is threatening our planet and our way of life. Mountain communities and winter sports businesses worldwide are taking action and becoming 100% Committed to renewable electricity; and

WHEREAS, the TOWN believes the scale of greenhouse gas (GHG) emissions reductions required for climate stabilization will require sustained and substantial efforts; and

WHEREAS, the TOWN has been in contact with the Climate Reality Project concerning their I AM PRO SNOW program and 100% Committed campaign to help and try to reduce the effects of climate change on our local economy which is tied dramatically to the continued operation and stability of Belleayre Mountain Ski Center in Highmount, NY; and

WHEREAS, 100% Committed communities create rewarding, high-paying jobs and increase local economic growth; build reputations for protecting a way of life and the businesses that depend on it; become known as exciting, forward-looking places to live and work in the twenty-first century, attracting sought-after businesses and citizens and building thriving twenty-first century economies. And create healthier and happier places to live and work, with a decreased chance of bad air days and a reduced impact on our climate.

THEREFORE, BE IT RESOLVED that the Town of Shandaken Town Board hereby agrees to join Climate Reality's I AM PRO SNOW program and 100% Committed campaign and pledge to helping our community shift to 100-percent clean electricity by the year 2030.

AND MOVES ITS ADOPTION

Seconded by:

ROLL CALL

	AYES	NAYS
Board Member Alba	_____	_____
Board Member DiSclafani	_____	_____
Board Member Malloy	_____	_____
Board Member Storms	_____	_____
Supervisor Stanley	_____	_____

**AUTHORIZE SUPERVISOR TO CHANGE CONTRACT FOR OFFICE COPIER**

**WHEREAS**, the *Town* of Shandaken currently has an ongoing contract with Atlantic Office Supplies regarding a Toshiba copier currently used by several Town offices; and

**WHEREAS**, the *Town* has been offered the opportunity to reduce the costs associated with said copier from National Business Equipment & Supplies by replacing the current copier with a newer Kyocera model.

**THEREFORE, BE IT RESOLVED** that the Town of Shandaken Town Board hereby authorizes the Town Supervisor to sign any agreement in order to change copiers and sign the lease with National Business Equipment, 500 Aaron Court, Kingston, NY 12401

AND MOVES ITS ADOPTION

Seconded by:

ROLL CALL

	AYES	NAYS
Board Member Alba	_____	_____
Board Member DiSclafani	_____	_____
Board Member Malloy	_____	_____
Board Member Storms	_____	_____
Supervisor Stanley	_____	_____